S.B. Civil Writ Petition NO.2295/2005
Sri Kishan Ice Factory
vs
Ajmer Vidhyut Vitran Nigam Ltd. & Anr.

DATE OF ORDER : - 19.4.2005.

HON'BLE MR. PRAKASH TATIA,J.

Mr.GK Vyas, for the petitioner.

<><><>

Heard learned counsel for the petitioner.

According to learned counsel for the petitioner, the petitioner submitted a complaint against the Asstt. Engineer and the Lineman before the Superintending Engineer, Ajmer Vidhyut Vitran Nigam Ltd alleging that these persons tampered with the electricity meter of the petitioner-factory. According to petitioner, the petitioner was served with a notice dated 28.3.205 alleging that petitioner's factory was inspected on 23.3.2005 and at that time, it was found that the petitioner was involved in the power theft. A demand was raised against the petitioner of Rs.1,74,000/- and for that purpose a bill was issued to the petitioner. According to petitioner, under pressing circumstances, the petitioner deposited Rs.87,000/- against the demand of Rs.1,74,000/-. According to learned counsel for the petitioner, the respondents could not have even conducted the search on the petitioner's premises nor in fact, any search was conducted on the

petitioner's premises. He also submitted that the report has been prepared falsely and that too, in the back of the petitioner. According to learned counsel for the petitioner in these circumstances, no recovery can be effected from the petitioner.

Looking all above facts, which may require investigation of various aspects of the matter, the petitioner may approach the Settlement Committee of the respondent and this Court is not inclined to entertain the writ petition in the facts of this case.

Hence, the writ petition of the petitioner is dismissed.

(Prakash Tatia), J.

c.p.goyal/-